

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
BRICKLAYERS INSURANCE AND WELFARE
FUND, BRICKLAYERS PENSION FUND,
BRICKLAYERS SUPPLEMENTARY ANNUITY
FUND, BRICKLAYERS AND TROWEL TRADES
INTERNATIONAL PENSION FUND, NEW YORK
CITY AND LONG ISLAND JOINT APPRENTICESHIP
AND TRAINING FUND, INTERNATIONAL
MASONRY INSTITUTE, SANTO LANZAFAME in
his fiduciary capacity as administrator, BRICKLAYERS
LOCAL 1, INTERNATIONAL UNION OF
BRICKLAYERS AND ALLIED CRAFT WORKERS, and
BRICKLAYERS LABOR MANAGEMENT
RELATIONS COMMITTEE.

Plaintiffs,

03 CV 0556 (SJ)

- against -

ORDER

CIRO RANDAZZO BUILDERS, INC.,
and ANTHONY RANDAZZO

Defendants.

-----X

A P P E A R A N C E S:
VLADECK, WALDMAN, ELIAS & ENGELHARD, P.C
1501 Broadway
Suite 800
New York, NY 10036
By: James I. Wasserman, Esq.
Attorney for Plaintiffs

JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation ("the Report"), prepared by

Magistrate Judge Marilyn D. Go¹ in response to an order of this Court dated November 3, 2003.² Judge Go filed the Report on September 6, 2006, and provided the parties 10 days upon receipt of the Report to file any objections. No objections have been filed.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Thus, upon review, the Court adopts and affirms the Report and Recommendation in its entirety. Default judgment shall be entered against Defendant Ciro Randazzo Builders, Inc., but not against Defendant Anthony Randazzo individually. The Court awards Bricklayers Insurance and Welfare Fund, Bricklayers Pension Fund,

¹The Court thanks Judge Go for her work in this regard.

²Familiarity with the facts and procedural posture of the case are presumed.

Bricklayers Supplemental Annuity Fund, Bricklayers and Trowel Trades International Pension Fund, New York City and Long Island Joint Apprenticeship and Training Fund, and the International Masonry Institute, collectively, judgment against Ciro Randazzo Builders, Inc., in the amount of \$15,337.08, comprised of (a) \$6,973.32 for unpaid contributions; (b) \$4,591.31 for pre-judgment interest through August 31, 2006, and at a rate of \$3.06 per day thereafter until the date of judgment; (c) \$1,394.66 for liquidated damages; (d) \$2,041.33 in attorney's fees; and (e) \$336.46 in costs. The Court further awards Bricklayers Local 1, International Union of Bricklayers and Allied Craft Workers, and Bricklayers Labor Management Relations Committee, collectively, judgment against Defendant Ciro Randazzo Builders, Inc., in the amount of \$878.96, comprised of (a) \$641.41 for unpaid dues checkoffs and contributions and (b) \$237.55 for pre-judgment interest through August 31, 2006, at a rate of \$.16 per day thereafter until the date of judgment. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: November 1, 2006

Brooklyn, NY

s/SJ

Senior U.S.D.J.